(6) The *rajabhogam* on jenmom lands should be enhanced and the tax on *pand rapattom* and *otti* lands reduced. This course would tend to compensate the loss consequent on the reduction of tax on *pandaravattom* lands. If the tax was reduced, more lands would be brought under the plough and that would go to increase the revenue of the State ultimately, obviating the need for the grant of agricultural loans.

President's reply.—The Member has first dealt with the history of the subject and then has referred to the fact that the price of land is decreasing, because there has been no revision of assessment. He is in favour of a general reduction and equalisation of assessment. I must say that this is a highly contentious matter. Certain assessments have been fixed at the last settlement. A general revision of assessment can be expected only during resettlement.

3. Land Records Maintenance Department and the necessity for a radical alteration in its present system of work.

Mr. N. Madhavan Nair B. A., B. L. (Member, Trivandrum taluk) spoke on the defects in the present working of the Land Records Department. He said that the criticisms levelled against the Department by the non-official side of the Legislative Council during the last two years pointed to the indisputable fact that the Department was not being worked as it ought to be, and that the existence of a new class of officers known as Assistant Tahsildars had come in for a good deal of adverse comment at the hands of the non-official public both in and outside the Council. The Member observed that the work of the Department after its final simplification had been confined to the verification of *porambokes* with the detection of encroachments and the measurement of current subdivisions involved in *puduval, pokkuvaravu* and other cases. For carrying out this work an elaborate machinery consisting of an officer called the Land Records Superintendent, with a large number of Assistant Tahsildars carrying a salary of Rs. 100 a month each and a host of temporary accountants had been created, at an annual cost of nearly Rs. 1,60,000 out of State funds. The advantages derived from the Department as it was now constituted bore no proportion whatever to the huge expenditure incurred in its upkeep.

The Member then said that, in the matter of a correct maintenance of the land records of the State, the policy of the Government had been a series of experiments and mistakes, at the heavy cost of the tax-payer's hard-earned money. With a view to substantiate the above observation he referred, in detail, to the history of the Department, tracing the several changes introduced in the staff and methods for the conduct of land records work. The old arrangement went on till the middle of 1096 when, under the orders of the present Head of the Administration, a new agency was created by replacing the Taluk Surveyors and the Survey Sub-Assistants. The new agency consisted of the present Assistant Tahsildars, nearly 26 in number, on a salary of Rs. 100 a month, and about 300 special accountants on Rs. 14 each with about 600 chainmen each getting Rs. 8 per mensem. The agency alone was changed by the new arrangement, but the work remained the same, *viz.*, the verification of *porambokes*, and the measurement of current *pokkuvaravu* subdivisions.

The Member said that the appointment of the above special staff was an indication of the want of continuity in the policy of the Government in the maintenance of land records. The present new agency was more or less similar to the special staff created in 1096 and disbanded after three years' trial as useless to cope with the work. It was only the repetition of the same experiment under a new colour that was now being attempted. The change of the working agency had brought with it a disproportionately high expenditure amounting to over a lakh and a half of rupees per annum. The new set of stone maps and stone registers which were prepared as preliminaries to the simplified scheme was thrown out as useless and thus they also shared the fate of those prepared under the old scheme. The cost of the stationery wasted in this manner at every time a fresh agency was created alone came up to more than two lakhs of rupees. The plotted sketches of *porambokes* now being prepared at enormous cost would turn out to be useless during the course

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of the next resurvey operations which were bound to come ere long. The experiments made by Government in respect of the maintenance of the land records of the State had thus resulted in considerable waste of public money.

It was thought that the multifarious duties of the Tahsildars allowed them no time for a careful supervision of the land records maintenance work. Hence Assistant Tahsildars, mostly graduates trained for a while in survey, were appointed as executive assistants to them. No doubt, in the initial stage, these officers had to do some *puduval* inspection work, but that work was negligible. A Land Records Superintendent was in the meantime appointed and the Assistant Tahsildars and their staff were transferred entirely to the control of this Superintendent, they being completely separated from the district land revenue administration. The transfer of control of the Assistant Tahsildars to the Land Records Superintendent had reduced these officers to the position of mere surveyors and their designation of Assistant Tahsildars had now become a misnomer.

Speaking on the duties of the Land Records Maintenance Department, the Member said that those duties consisted of *pokkuvaravu* work and *poramboke* work, that the survey portion of the *pokkuvaravu* work had now been ordered to be stopped, that the most important portion of the land records work had been thereby taken out of the hands of the land records staff and that the only work that remained to be done was the verification of *porambokes*.

The Member then referred to the indifferent and careless manner in which the Land Records Maintenance Department carried on *poramboke* work causing immeasurable hardship to adjacent land owners. The attention of the Government being mainly concentrated on the income derived from the detection of *poramboke* encroachments, very little supervision was being paid by the controlling authority over the nature of the work the Assistant Tahsildars were doing in that direction. At present, the Assistant Tahsildars were the survey officers for surveying all *poramboke* lands. In the matter of *poramboke* survey, the provisions of the Survey and Boundaries Regulation of 1094 had been set at nought by those officers with impunity. Notices regarding the commencement of *poramboke* survey operations were published in the Government Gazette as provided for in the rules framed under the Regulation, but other notices which were required to be given to adjacent land owners at several subsequent stages were, as a general rule, not issued. Notices to be served on the ryots under Section 11, clause 4, of the Regulation regarding the completion of survey, notices under Section 12, clause 1, giving the adjoining land-holder opportunity to question the correctness of the demarcation and the survey made, and those under Section 16, clause 1, intimating the cost of the demarcation charges to be realised from the defaulting ryots were not being given at all. Notices under Section 12 were important in that they affected the rights of the adjacent land owners in regard to their boundaries, while notices under the other Sections provided opportunities for checking the vagaries of the subordinate staff employed in surveying *porambokes*. The omission or failure on the part of those officers to issue the above notices was a serious legal error which had the force of rendering the whole procedure *ab initio* null and void. Under the Regulation, against the orders of the surveyor, the ryots had the right of appeal within a limited time to his immediate superior, who in this case was the Land Records Superintendent. The failure to give the notice deprived the ryot of his opportunity to prefer an appeal. The Land Records Maintenance Department sent up *poramboke* cases to the Revenue authorities and it was on the basis of the illegal procedure adopted by the Land Records Maintenance staff that the ryots were convicted and fined heavily under the Land Conservancy Regulation for encroaching upon *poramboke* land. Under the circumstances, Government could not be said to be justified in treating the fines and prohibitory assessment amounts realised from *porambokes* as a legal source of revenue. The operations of the Land Records Maintenance Department were thus carried on in contravention of the provisions of law. The sufferings of the people caused thereby reflected the greatest discredit on the head of the Land Records Maintenance Staff.

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The Member next spoke about the nature of the survey work done for the purpose of detecting *poramboke* encroachments. He said that the survey work was based upon the erroneous sketches prepared by the Settlement Department, that it was a serious loss to the State to spend huge amounts of money for that work, and that all those errors could be removed only after a re-survey. He suggested that, till then, it would be only in the fitness of things to keep a much less costly agency to attend to the L. R. M. work. So long as the land had not been surveyed on the ground and stones had not been planted, there was no evidence for the ryot to know from the ground that the land had been separately surveyed as *poramboke*. The only public record evidencing the Settlement *poramboke* was the Settlement Register which was not available for sale. There was thus no source of information open to the ryot for knowing whether a particular piece of land was *poramboke* or not. The Member said that the Government ought not, in the interests of the ryot, to work out the Poramboke Rules with rigour, actuated by a mercenary motive, and suggested that special instructions should be issued to survey the Settlement sub-divisions correctly as per the lay of the land and actual possession, and that in a clear case of encroachment the ryot should be made to understand that he had encroached upon *poramboke* land, and should be allowed some time to vacate the encroachment after being given due notice of it. The Member also observed that there was a deplorable lack of supervision over the work of the staff on the part of the Land Records Superintendent, that before the advent of the new agency there were several officers to inspect the L. R. M. work, such as the Sub-Assistants, Tahsildars, Peishkars and the Superintendent of Survey, all of whom constituted the supervising agency, but that, as there was only one officer now for the whole State, he would not be able to do full justice to his inspection duty single-handed. In regard to the work of the Assistant Tahsildars, the Member doubted the efficiency of graduates in the matter of doing hard field work. He said that, if placed on original work, the quality and quantity of work that might be turned out by an Assistant Tahsildar could not be on a par with those of an experienced Taluk Surveyor of several years' experience. He pointed out that the reversion of some of the Assistant Tahsildars to their substantive posts showed that they were either inefficient or that they did not like field work. He said that the Department, as was run at present, had failed to justify its existence in point of efficiency and utility and that it conferred no blessing on the people.

The next point urged by the Member in support of his contention that the present special staff for L. R. M. work should be disbanded was that the bulk of the work that devolved on the staff had been taken away from them with the issue of the recent G. O. dispensing with the survey of *pokkuvarvu* Sub-divisions. Another point argued was that the original survey was full of errors as admitted by the Government in several of their proceedings, that, till a re-survey was settled upon, it would be very advisable to have the L. R. M. work conducted by a much less costly agency, and that it would be highly suicidal to spend enormous amounts in experimenting on a scheme which was built upon an incorrect foundation. He pointed out that, in the Revenue and Settlement Conference held in 1920, the Superintendent of Survey had himself observed that the errors in the original survey amounted to more than 50 per cent.

While admitting that the maintenance of land records was necessary for the State, he said that the only difference of opinion between the people's representatives and the Government was with regard to the agency to be employed for that work—whether it should be done by the normal village staff or by a separate Department. The Member said that, in Madras, the Land Records Maintenance as a separate Department was done away with and it had been incorporated in the Land Revenue Department, that there was no reason why Travancore should try to perpetuate a system which had been thrown overboard elsewhere as useless, and that the maintenance of land records should properly be the duty of the Land Revenue Department. He observed that most of the old Taluk Surveyors who had now been absorbed in the Survey Department were experienced men with technical and practical qualifications and that they would be able to do the present work of the Asstistant Tahsildars in less time, at cheaper cost and with greater intensity.

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In conclusion, the Member said that the Land Records Department as a separate department should be abolished, that the control of the L. R. M. work should be entrusted to Peishkars and Tahsildars as of old and that the work itself should devolve on the permanent Pakuthi Accountants under the supervision of Taluk Surveyors. He observed that it would not be a wise measure to do away with the Survey of *pokkuvaravu* subdivisions and suggested that the Taluk Surveyors might be asked to do that work also. He admitted that a Land Records Superintendent might be necessary as an independent officer for the whole State to give advice and expert opinion, and suggested that the Superintendent might also be assisted by one or two Assistants as District Survey Officers, with adequate pay, who should work under the orders of the Division Peishkars in giving professional advice as was done by the old Sub-Assistants. The Member concluded that, by adopting the above scheme, the work carried on at present could be managed more efficiently, bringing about at the same time a saving of about Rs. 1,25,000 per annum to Government.

President's reply.—Mr. Madhavan Nair has raised several points. The general trend of his speech is to the effect that the present Land Records Maintenance Department is practically a failure. In regard to this matter, the Dewan, in his Address delivered yesterday, has stated what exactly the position of the Government is. They are unable to share the view that the work of the Land Records Maintenance Department is a failure. The Dewan has observed : "The scope of the Land Records Maintenance Scheme was revised in 1096, its operation being mainly restricted to the inspection of *porambokes*, the detection of encroachments thereon, and the survey, demarcation and plotting of *poramboke* numbers and their subdivisions". The scope of the work of this department has thus been restricted. It has also been stated that the inspection of *porambokes* and the preparation of lists of unrecognised occupations thereon have been practically completed and that the occupation of about one-half of the *porambokes* has been regularised, and precautions taken against the indiscriminate and injurious occupation of such lands.

As regards the issue of notices under the Survey and Boundaries Regulation, I understand that a general notice has been published in the Government Gazette and that notices are also being issued to the parties whenever survey marks have to be repaired or renewed. I also understand that the persons against whom proceedings are taken under the Land Conservancy Regulation for unauthorised occupation of *porambokes* are supplied with details as to where and how the encroachments have been made, thus affording them a proper opportunity for laying their case before the deciding officer and seeing that no injustice is done to them.

The Member next referred to the want of accuracy in the survey and settlement records. This is a general question, and in regard to it, no definite answer can be given. Of course, corrections may be necessary and that work can be done only in individual cases when the existence of a mistake is pointed out to the Government. It is not possible for the Government to know where these mistakes occur unless the parties themselves point them out. This seems to be the only way to get such mistakes rectified. The Member also said that the Superintendent of Survey admitted the existence of about 50 per cent. of errors in survey. If that statement is correct, it only shows that practically nothing can be done now and that the mistakes have to be rectified in due course by means of a regular resurvey.

4. Policy of the Government in regard to Survey, Settlement and Poramboke.

Mr. Aiyappan Raman (Member, Vaikam taluk) dwelt at length on the evils of the last settlement as conducted in the State. He said that it would be seen from the Settlement Final Report that not one of the objects aimed at by the Settlement Proclamation of 1061 had been gained, that the survey plans and subdivision sketches were imperfect records and did not represent the actual state of affairs on the ground, that a careful perusal of the Settlement Report revealed that, instead of reduction of assessment on wet and garden lands, there was a perceptible increase, in addition to the inequalities which already existed, and that in short settlement had been carried out very imperfectly in spite of the principles so unmistakably laid down in the Settlement Proclamation. He stated that, soon after the settlement, instead of

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